

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SAMANTHA R. LINHARDT,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act and Costs Under 28 U.S.C. § 1920. (Docket No. 25.) The parties have stipulated that Plaintiff should be awarded four thousand six-hundred eighty dollars and thirty-four cents (\$4,680.34) in attorney's fees under the Equal Access to Justice Act and costs in the amount of \$402.00.

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees under the EAJA in the amount of **\$4,680.34**. The payment of attorney's fees is subject to any offsetting debt owed by the Plaintiff to the United States. Before the Commissioner shall be obligated to pay the EAJA fees the Commissioner

must determine whether Plaintiff owes a debt to the government. In the event the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Commissioner must then pay the fees and expenses directly to Plaintiff's counsel.

2. Plaintiff is awarded costs in the sum of \$402.00, which costs shall be payable from the judgment fund administered by the United States Department of Treasury.

3. The Clerk is directed to terminate Plaintiff's Motion for Attorney's Fees (Docket No. 22) as a pending motion.

Dated: June 21, 2023

*s/ Gary R. Jones*

GARY R. JONES

United States Magistrate Judge